

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

No claims are requested to be cancelled.

Claims 1, 17 and 21 are currently being amended. No new matter is added.

No claims are being added.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-6 and 17-24 remain pending in this application.

In paragraph 7 of the Office Action, the Examiner objects to Claim 21 informalities. The Examiner states:

As per claim 21, the claim recites “wherein a re-encapsulated channel encrypted outbound packet being configured to be able to be decoded by processors assigned to the first security level.”

There are grammatical errors in this clause, and perhaps should be amended to “wherein a re-encapsulated channel encrypted outbound packet configured to be able to be decoded by processors is assigned to the first security level.”

Appropriate correction is required.

To advance prosecution, Applicants have amended Claim 21 to correct the typographical error. However, the Examiner’s comments were not followed exactly. Withdrawal of the objection to claim 21 is respectfully requested.

In paragraph 10 of the Office Action, claims 1-4, 17, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable US Patent No. 6,041,035 (Thedens) in view of US Patent No. 5,075,884 (Sherman). The Examiner states:

As per claim 1, Thedens teaches a multi-channel radio operating with multiple security levels, comprising: more than one input, each input corresponding to a security level (Figure 1, with security levels of red/black); a first set of more than one processors, each of the processors in the first set of more than one processors is coupled to one of the inputs (Figure 1; also col. 5 lines 60-67, wherein there are multiple black and red processing modules, wherein processors are 262 and 282; each of the processors in the first set of more than one processors corresponding to the security level of the respective input (Figure 1; also col. 4 lines 25-38); a second set of processors coupled to the first set of more than one processors via a first common bus (Figure 1, wherein second processor is processor 302); wherein one of the processors of the first set of more than one processors encodes information received from the input to provide encoded information (col. 4 lines 25-38); wherein the encoded information is configured to be able to be decoded by devices corresponding to the security level of the one of the processors of the first set of more than one processors (col. 4 lines 25-38); wherein the first common bus is configured to direct the encoded information to an intended processor of the second set of more than one processor, the intended processor corresponding to the security level (col. 5 line 60 to col. 6 line 14).

However, at the time of the invention, Thedens does not explicitly teach a second set of more than one processors. Thedens teaches at least one processor though, as mentioned above, such as processor 302. Having additional processors is well known in the art though, such as taught by Sherman. Sherman teaches wherein systems implement multiple processors to implement multi-level security (col. 4 line 60 to col. 5 line 3). Sherman further teaches wherein the encoded information is not decodable by another processor of the second set of more than one processors corresponding to a different security level (col. 4 line 60 to col. 5 line 3, wherein each processor is dedicated to a specific security level and is restricted to only processing data at that security level).

At the time of the invention, it would have been obvious to one of ordinary skill in the art to include the teachings of Sherman with

Thedens. Having multiple processors for multiple security levels is well known in the art, as Sherman throughout this application. As seen, each processor is dedicated to processing information at a different level, and thus, it would make the system more secure as each processor can only perform the security level it is assigned.

As per claim 2, Thedens teaches wherein the first set of more than one processors are red processing devices (Figure 1).

As per claim 3, Thedens teaches wherein the second set of more than one processors are black processing devices (Figure 1)

As per claim 4, Thedens teaches wherein the first set of more than one processors are red processing devices (Figure 1)

Claim 17 is rejected using the same basis of arguments used to reject claim 1 above.

Claim 18 is rejected using the same basis of arguments used to reject claim 2 above.

Claim 20 is rejected using the same basis of arguments used to reject claim 3 above.

In paragraph 5 of the Office Action, the Examiner responds to Applicants' argument. The Examiner states:

Applicant's arguments filed 07/16/2009 in regards to claims 1 and 17 have been fully considered but are not persuasive.

Applicants respectfully traverse the rejection.

In paragraph 11 of the Office Action, claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thedens and Sherman as applied above, and further in view of US SIR Reg. No. H1,836 (Fletcher). The Examiner states:

As per claim 5, the Thedens teaches switching devices, but does not explicitly teach wherein the first common bus is an Ethernet packet switching device. However, using Ethernet devices are well known in the art, as pertaining to multi-channel communication

radios, and are taught throughout Fletcher, such as in col. 16 lines 20-30.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the Thedens and Sherman combination with Fletcher. Fletcher teaches that a switching modules may include many components, such as busses and Ethernet interfaces. As Ethernet is well known in the art and used commonly to those in the field, it would have been obvious to make a switch compatible for Ethernet packets. Providing an Ethernet switch would make the invention more practical and adaptable to use as Ethernet is well known and used frequently.

Applicants respectfully traverse the rejection.

In paragraph 12 of the Office Action, claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thedens and Sherman as applied above, and further in view of US Patent No. 5,960,344 (Mahany). The Examiner states:

As per claim 6, the Thedens combination teaches the use of a bus, but does not explicitly recite PCI busses. However, PCI busses are well known in the art, and may be implemented in multi-channel radios, such as taught by Mahany in col. 9 lines 10-21.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to combine the teachings of the Thedens combination with Mahany. PCI busses are well known in the art and used commonly, and it would have been obvious to incorporate PCI busses to make the systems compatible with the systems on the market.

Claim 19 is rejected using the same basis of arguments used to reject claim 6 above.

Applicants respectfully traverse the rejection. Thedens, Sherman, Fletcher and Mahany are referred to below in the cited art.

The following comments are made with respect to independent claims 1 and 17 only. To advance prosecution, claims 1 and 17 each have been amended to recite a feature related to re-encapsulated channel encrypted outbound packet. Independent claim 1 recites:

wherein a first processor in the first set encodes and encapsulates data, a data source, and a destination address to generate an encrypted outbound packet, the first processor being configured to append a channel identifier onto the encrypted outbound packet to generate a channel encrypted outbound packet, the first processor being configured to append the data source and the destination address onto the channel encrypted outbound packet and re-encapsulate the channel encrypted outbound packet;

wherein a re-encapsulated channel encrypted outbound packet is configured to be able to be decoded by at least one processor assigned to the first security level in the second set, the re-encapsulated channel encrypted outbound packet being further configured to not be able to be decoded by at least one processor assigned to a second security level in the second set;

Independent claim 17 recites:

wherein the first processor encodes and encapsulates data, a data source, and a destination address to generate an encrypted outbound packet, the first processor being configured to append a channel identifier onto the encrypted outbound packet to generate a channel encrypted outbound packet, the first processor being configured to append the data source and the destination address onto the channel encrypted outbound packet and re-encapsulate the channel encrypted outbound packet;

wherein a re-encapsulated channel encrypted outbound packet is configured to be able to be decoded by processors assigned to the first security level, the re-encapsulated channel encrypted outbound packet being further configured to not be able to be decoded by processors assigned to the second security level.

None of the cited art shows, describes or suggests either of the above recited features.

Accordingly, claim 1 and its dependent claims 2-6 and independent claim 17 and its dependent claim 18-20 are patentable over the cited art.

In paragraph 4 of the Office Action, the Examiner states that "Applicants' arguments and amendments to claim 21 have overcome the prior art or record and the rejection for that claim has been withdrawn." In paragraph 13 of the Office Action, the Examiner states "claims 21-24 would be allowable if rewritten to overcome the minor claim objects as set forth in the Office Action above." Claim 21 has been amended to correct a typographical error. Allowance of independent claims 21 and its dependent claims 22-24 is respectfully requested.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16 1.17, or credit any overpayment, to Deposit Account No. 18-1722. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 18-1722.

Respectfully submitted,

Date November 9, 2009

By Joseph N. Ziebert

Customer Number: 26383
Telephone: (319) 295-8280
Facsimile: (319) 295-8777

Joseph N. Ziebert
FOLEY & LARDNER LLP
Attorney for Applicant
Registration No. 35,421